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Docket No.: 50108-028

PATENT

JC931 U.S. PRO
09/695213
10/25/00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Bruce CIOTTA :
Serial No.: Group Art Unit:
Filed: October 25, 2000 : Examiner:
For: MOBILE STATION INTERNET MESSAGING

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the document listed on the attached form PTO-1449. It is respectfully requested that the document be expressly considered during the prosecution of this application, and that the document be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of the cited document is being concurrently filed as "Exhibit E" attached to a declaration by Bruce Ciotta.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

The "Short Messaging" document is not believed to be a printed publication because of its limited distribution as a copy of slides displayed at a presentation. The presentation introduced new

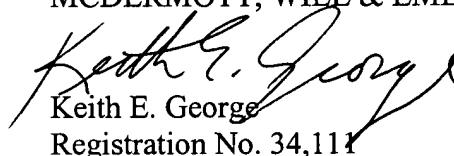
Serial No.:

product concepts to Verizon Wireless and vendors Lucent Technologies and TeleCommunications Systems, Inc.

Regardless of what it may or may not constitute, the "Short Messaging" document is not "prior" art. The inventor of the present application disclosed the present invention to his attorney, and received a draft application before the "Short Messaging" document was presented. The "Short Messaging" document was also presented less than a month and half before the filing of the provisional application that corresponds to this case. Also, it is believed that, to the extent that the "Short Messaging" document includes subject matter that might be relevant to any claim in this case, that subject matter is describing material that the inventor disclosed in confidence in a discussion with Lucent personnel while his application was already in preparation.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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